

70014 U.S. PTO

08/971344



11/17/97

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

997 DBUTLER 00000051 08971344  
395.00 OP

#22E 2.3.98  
T. Bray

HOWREY & SIMON  
Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2402

(202) 783-0800

REQUEST FORM FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. § 1.62

Docket Number 04990.0008-2	Anticipated Classification of this Application		Prior Application Examiner: B. Sisson Art Unit: 1807
	Class:	Subclass:	

Address to:

Assistant Commissioner for Patents  
Box FWC  
Washington, D.C. 20231

This is a request for filing a ☐ continuation-in-part; ☒ continuation; ☐ divisional application under 37 C.F.R. § 1.62 of prior application no. 08/216,538, filed on March 23, 1994, entitled SINGLE NUCLEOTIDE POLYMORPHISMS AND THEIR USE IN GENETIC ANALYSIS by the following named inventors:

Full Name of Inventor	GOELET	Philip	
Residence & Citizenship	Cockeysville	Maryland	U.S.A.
Post Office Address	301 Western Run Road	Cockeysville	Maryland, 21030/U.S.A.
Full Name of Inventor	KNAPP	Michael	R.
Residence & Citizenship	Baltimore	Maryland	U.S.A.
Post Office Address	2630 N. Calvert St.	Baltimore	Maryland, 21215/U.S.A.

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned under 37 C.F.R. § 1.62(g) as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (No new specification is required, 37 C.F.R. § 1.62(e).) (Note: 37 C.F.R. § 1.60 may be used for continuation or divisional applications where the prior application is not to be abandoned.)

(REQUEST FORM FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. § 1.62, PAGE 2 OF 4)

1. ☒ Enter the unentered amendment previously filed on June 17, 1997 under 37 C.F.R. § 1.116 in the prior application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by less than all the inventors named in the application. The Commissioner is requested under 37 CFR § 1.62(a) to delete the names of the following person or persons from the prior application who are not inventors of the invention being claimed in this application: \_\_\_\_\_.

Claims	(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Calculations
	Total Claims *	12- 20 =	0	x \$ 22 =	\$ 0.00
	Independent Claims *	2- 3 =	0	x \$ 82 =	\$ 0.00
	Multiple Dependent Claim(s) * (if applicable)			+ \$ 270	\$ 0.00
			Basic Fee		\$ 790.00
			Total of above calculations =		\$ 790.00
	Reduction by 1/2 for filing as small entity (Note 37 C.F.R. §§ 1.9, 1.27 and 1.28). If applicable, verified statement must be attached.				\$ 395.00
			GRAND TOTAL =		\$ 395.00

\*The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1. and 2.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27:

- ☐ is enclosed.
- ☒ was filed in prior application number 08/216,538 and such status is still proper and desired (37 C.F.R. § 1.28(a)).
5. ☒ The U.S. Patent and Trademark Office is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required, or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this form is enclosed.
6. ☒ Howrey & Simon check number 149878 in the amount of \$860.00 is enclosed.
7. ☐ A new oath or declaration in compliance with 37 C.F.R. § 1.63 is included since this application is a continuation-in-part that discloses and claims additional matter.
8. ☒ Amend the specification by inserting before the first line the sentence:

This application is a ☐ continuation-in-part; ☒ continuation; ☐ division of application no. 08/216,538, filed March 23, 1994, now abandoned, which is a continuation-in-part of application no. 08/145,145 filed November 3, 1993.

9. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119(a)-(d).

(REQUEST FORM FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. § 1.62, PAGE 3 OF 4)

☐ The certified copy has been filed in prior application number \_\_\_\_\_, filed \_\_\_\_\_.

10. X The prior application is assigned of record to: Molecular Tool, Inc. (Recorded on May 9, 1994 at Reel 7016, Frame 0136).

11. ☐ The power of attorney in the prior application is to (name and address): Jeffrey I. Auerbach, Howrey & Simon

12. X Also included is:

X A petition for an additional three month extension of time for the parent application (08/216,538), to extend the period of response from August 17, 1997 to November 17, 1997, is filed herewith.

☐ Certification under 37 CFR § 3.73(b).

Address all future communications to: Jeffrey I. Auerbach

**HOWREY & SIMON**

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Facsimile: (202) 383-7195

Direct Telephone calls to Jeffrey I. Auerbach at telephone 202-783-7451.

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(REQUEST FORM FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. § 1.62, PAGE 4 OF 4)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.62 application, be it either this application or a prior application in the same file wrapper, the U.S. Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.



Signature

November 17, 1997

Date

Kevin W. McCabe, Reg. No. 41,182

- ☐ Inventor
- ☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.
- ☐ Attorney or agent of record
- ☒ Filed under 37 C.F.R. § 1.34(a)

037447469

A/FWC

HOWREY & SIMON

November 17, 1997

Attorneys at Law  
1299 Pennsylvania Ave., NW  
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(202) 783-0800  
FAX (202) 383-6610

**Box FWC**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Continuation Under 37 C.F.R. § 1.62 of Patent Application No. 08/216,538  
Appl. No. (to be assigned); Filed: (herewith)  
For: SINGLE NUCLEOTIDE POLYMORPHISMS AND THEIR USE IN  
GENETIC ANALYSIS  
Inventors: Philip GOELET and Michael R. KNAPP  
Our Ref: 04990.0008-2

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. A Request For File Wrapper Continuation application under 37  
C.F.R. § 1.62 of prior Application No. 08/216,538;
2. A Petition for a three month extension of time for the parent  
application, U.S. Appl. No. 08/216,538;
3. Two (2) return postcards; and
4. Our Check No. 149878 for \$ 860.00 to cover:  
\$ 395.00 Filing fee for patent application;  
\$ 465.00 Fee for EOT in parent application.

HOWREY & SIMON

Assistant Commissioner for Patents

November 17, 1997

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It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, including, but not limited to, any fees required for extensions of time to ensure copendency of parent Application No. 08/216,538 to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Kevin W. McCabe (Reg. No. 41,182)

Enclosures

26277-44E72680